

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 67

An Act to amend and reenact § 45.1-270.7 of the Code of Virginia, relating to the Virginia Coal Surface Mining Reclamation Fund Advisory Board; membership; duties.

[H 812]

Approved March 2, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 45.1-270.7 of the Code of Virginia is amended and reenacted as follows:

§ 45.1-270.7. Coal Surface Mining Reclamation Fund Advisory Committee continued as Coal Surface Mining Reclamation Fund Advisory Board.

A. The Coal Surface Mining Reclamation Fund Advisory Committee is continued and shall hereafter be known as the Coal Surface Mining Reclamation Fund Advisory Board. The Reclamation Fund Advisory Board shall consist of ~~five~~ *seven* members appointed by the Governor subject to confirmation by the General Assembly, ~~three~~ *at least four* of whom shall represent the coal industry, one of whom shall be a representative of the Director and ~~one of whom shall be a member of the public without any coal industry interests~~, and *two of whom shall represent conservation interests and such other public and private interests as may be appropriate in accordance with Article V of the Interstate Mining Compact (§ 45.1-271).* The ~~Commissioner~~ Director of the Division shall be a continuing ex officio nonvoting member of the Reclamation Fund Advisory Board and shall serve as Secretary thereto.

B. The voting members of the Reclamation Fund Advisory Board shall initially be appointed for terms of one, two, three, four, and five years, such terms to be assigned by lot. Thereafter, all members shall be appointed for five-year terms. No person shall serve more than two consecutive terms.

C. The Reclamation Fund Advisory Board shall annually elect a chairman and shall formulate rules for its organization and procedure.

D. The voting members of the Reclamation Fund Advisory Board shall serve without compensation or reimbursement for expenses incurred in the performance of their duties.

E. The Reclamation Fund Advisory Board shall meet not less than twice each year for the purpose of formulating recommendations to the Director concerning oversight of the general operation of the Fund. The Reclamation Fund Advisory Board shall report biannually to the Director and to the Governor on the status of the Fund and shall recommend to the Director regulations or changes thereto for the administration or operation of the Fund. The Director, in his discretion, may adopt the recommendations of the Reclamation Fund Advisory Board through regulatory action from time to time in accordance with the provisions of Chapter 19 (§ 45.1-226 et seq.) ~~of this title~~ and otherwise in accordance with law.

F. The Reclamation Fund Advisory Board shall serve as the advisory body required by Article V of the Interstate Mining Compact (§ 45.1-271).